



UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF ILLINOIS
219 SOUTH DEARBORN STREET
CHICAGO, ILLINOIS 60604

MICHAEL W. DOBBINS
CLERK

312-435-5670

August 13, 2008

Mr. Gino J. Agnello, Clerk
U.S. Court of Appeals-Seventh Circuit
219 South Dearborn Street-Room 2722
Chicago, Illinois 60604

RE: USA v. Carani

U.S.D.C. DOCKET NO. : 07cv7040

U.S.C.A. DOCKET NO. : n/a

Dear Mr. Agnello:

Please find attached the original record on appeal consisting of the following:

VOLUME(S) OF PLEADING(S) 1 Volume of Pleadings

VOLUME(S) OF TRANSCRIPT(S)

VOLUME(S) OF DEPOSITION(S)

EXHIBITS:

VAULT ITEMS:

OTHER (SPECIFY):

SPECIAL NOTE:

Please acknowledge date of receipt of the above mentioned materials on the attached copy of this letter.

Very truly yours,

Michael W. Dobbins, Clerk

By: _____
G. Jones, Deputy Clerk

I, MICHAEL W. DOBBINS, CLERK of the United States District Court for the Northern District of Illinois, do hereby certify to the United States Court of Appeals, for the Seventh Circuit, that the documents submitted herewith and annexed hereto are the original papers filed and entered of record in my office, on the dates in the List of Documents, and together with a true copy of docket entries as they appear in the official dockets in this office, consisting of:

1 Volume of Pleadings

In the cause entitled: USA v. Carani.

USDC NO. : 07cv7040

USCA NO. : n/a

IN TESTIMONY WHEREOF, I hereunto subscribed my name and affixed the seal of the aforesaid Court at Chicago, Illinois, this 13th day of August 2008.

MICHAEL W. DOBBINS, CLERK

By: _____
G. Jones, Deputy Clerk

APPEAL, DENLOW, TERMED

United States District Court
Northern District of Illinois - CM/ECF LIVE, Ver 3.2.1 (Chicago)
CIVIL DOCKET FOR CASE #: 1:07-cv-07040
Internal Use Only

United States of America v. Carani
Assigned to: Honorable John F. Grady
Cause: 28:2255 Remedies on motion attacking sentence

Date Filed: 12/14/2007
Date Terminated: 05/22/2008
Jury Demand: None
Nature of Suit: 510 Prisoner: Vacate Sentence
Jurisdiction: U.S. Government
Defendant

Plaintiff

United States of America

represented by **AUSA**
United States Attorney's Office
(NDIL)
219 South Dearborn Street
Suite 500
Chicago, IL 60604
(312) 353-5300
Email:
USAILN.ECFAUSA@usdoj.gov
ATTORNEY TO BE NOTICED

Julie B. Ruder
United States Attorney's Office
(NDIL)
219 South Dearborn Street
Suite 500
Chicago, IL 60604
(312) 886-1317
Fax: 312-353-8298
Email: julie.ruder@usdoj.gov
ATTORNEY TO BE NOTICED

V.

Defendant

Fabio Carani

represented by **Fabio Carani**
 #21827-424
 Ashland - KY
 P.O. Box 6001
 Ashland, KY 41105
 PRO SE

| Date Filed | # | Docket Text |
|------------|--------------------|---|
| 12/14/2007 | 1 | MOTION to Vacate, Set Aside or Correct Sentence (2255) and one copy filed by Fabio Carani. (lcw,) (Entered: 12/19/2007) |
| 12/14/2007 | 2 | CIVIL Cover Sheet. (lcw,) (Entered: 12/19/2007) |
| 12/14/2007 | 3 | MEMORANDUM Of Law by Fabio Carani in support of petition to vacate, set aside, or correct sentence pursuant to 28 U.S.C. Section 2255 1 . (Poor Quality Original - Paper Document on File) (lcw,) (Entered: 12/19/2007) |
| 12/14/2007 | 4 | POST MARKED envelope for initiating document by Fabio Carani (Document not scanned) (aew,) (Entered: 12/20/2007) |
| 12/19/2007 | | (Court only) FORWARDED copy of motion and memorandum to U.S. Attorney's Office. (lcw,) (Entered: 12/19/2007) |
| 12/20/2007 | 5 | DESIGNATION of Julie B. Ruder as U.S. Attorney for Plaintiff United States of America (Ruder, Julie) (Entered: 12/20/2007) |
| 01/02/2008 | 6 | MINUTE entry before Judge John F. Grady : Response to petition to vacate, set aside, or correct sentence due by 2/08/08; reply due by 03/10/08. Said petition will be taken under advisement. Mailed notice (jlg,) (Entered: 01/02/2008) |
| 01/28/2008 | 7 | RESPONSE by Plaintiff United States of America to motion to vacate/set aside/correct sentence (2255) 1 (Ruder, Julie) (Entered: 01/28/2008) |
| 02/21/2008 | 8 | REPLY by Fabio Carani to the United States' Response in Opposition to petitioner's motion to vacate sentence under 28 U.S.C. Section 2255. (lcw,) (Entered: 02/25/2008) |
| 03/12/2008 | 9 | MINUTE entry before Judge John F. Grady : The petition to vacate sentence pursuant to 28 U.S.C. Section 2255 is denied as to Grounds 2, 3, 4, 6, 7, 8, and 9. The petition is entered and continued as to Grounds 1 and 5. The government may have until April 14, 2008 to file counteraffidavits of counsel. Petitioner may have until May 12, 2008 to reply. SEE BELOW FOR DETAILS. Mailed notice (lcw,) (Entered: 03/13/2008) |
| 04/10/2008 | 10 | Supplemental Response of the United States to Section 2255 Petition by United States of America (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3)(Ruder, Julie) (Entered: 04/10/2008) |

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| 05/14/2008 | <u>11</u> | NOTICE Regarding Financial Affidavit by Fabio Carani. (lcw,) (Entered: 05/16/2008) |
| 05/14/2008 | <u>12</u> | MOTION by Defendant Fabio Carani to expand the record. (lcw,) (Entered: 05/16/2008) |
| 05/14/2008 | <u>13</u> | MOTION by Defendant Fabio Carani for leave to conduct discovery. (lcw,) (Entered: 05/16/2008) |
| 05/14/2008 | <u>14</u> | REPLY by Fabio Carani to Supplemental Response of the United States to Section 2255 Petition. (lcw,) (Entered: 05/16/2008) |
| 05/14/2008 | <u>15</u> | DECLARATION of Fabio Carani. (Poor Quality Original - Paper Document on File) (lcw,) (Entered: 05/16/2008) |
| 05/22/2008 | <u>16</u> | MINUTE entry before the Honorable John F. Grady: Petitioner's motion to expand the record is granted. Petitioner's motion for leave to conduct discovery is denied as moot. The petition to vacate sentence pursuant to 28 U.S.C. Section 2255 is denied as to Grounds 1 and 5. Because we have already denied the petition as to the remaining grounds, this disposition terminates the case. Petitioner's motion for leave to conduct discovery (which goes to the first Strickland prong) is denied as moot. Civil case terminated. Mailed notice (lcw,) (Entered: 05/23/2008) |
| 05/22/2008 | <u>17</u> | ENTERED JUDGMENT.(lcw,) (Entered: 05/23/2008) |
| 05/22/2008 | <u>18</u> | MINUTE entry before the Honorable John F. Grady: Petitioners motion to expand the record is granted. Petitioners motion for leave to conduct discovery is denied as moot. The petition to vacate sentence pursuant to 28 U.S.C. § 2255 is denied as to Grounds 1 and 5. Because we have already denied the petition as to the remaining grounds, this disposition terminates the case. SEE BELOW FOR DETAILS. Mailed notice (ca,) (Entered: 05/27/2008) |
| 05/28/2008 | <u>19</u> | LETTER from Fabio Carani dated 5/20/08 (Exhibit). (ca,) (Entered: 06/02/2008) |
| 05/28/2008 | <u>20</u> | AFFIDAVIT and Authorization for withdrawal from Inmate Account (Exhibits)(Poor Quality Original - (Paper document on file)). (ca,) (Entered: 06/02/2008) |
| 07/25/2008 | <u>21</u> | MOTION by Defendant Fabio Carani for certificate of appealability. (air,) (Entered: 07/28/2008) |
| 07/25/2008 | <u>22</u> | NOTICE of appeal by Fabio Carani regarding orders <u>18</u> , fee waived. (air,) (Entered: 07/28/2008) |
| 07/28/2008 | <u>23</u> | TRANSMITTED to the 7th Circuit the short record on notice of appeal <u>22</u> . Notified counsel (air,) (Entered: 07/28/2008) |
| 08/04/2008 | <u>24</u> | MINUTE entry before the Honorable John F. Grady: Enter order. This court hereby denies the issuance of a certificate of appealability. As clearly appears from the attached Order denying Carani's § 2255 petition, he has made no substantial showing of the denial of a Constitutional right. (For further detail |

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| | | see separate order.) Mailed notice (gmr,) (Entered: 08/07/2008) |
| 08/04/2008 | <u>25</u> | ORDER Signed by the Honorable John F. Grady on 8/4/2008. (Exhibit). (gmr,) (Entered: 08/07/2008) |
| 08/04/2008 | | (Court only) ***Motions terminated: MOTION by Defendant Fabio Carani for certificate of appealability <u>21</u> . (gej,) (Entered: 08/13/2008) |

KEY

All items are included in this record. (Or)

All crossed out items are not included in the record.

S/C: These items are sent under a separate certificate.

N/A: These items are not available.